

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

ELECTRONIC SCRIPTING PRODUCTS,
INC.,

Plaintiff,

vs.

ANDROMEDA ENTERTAINMENT,
Limited

Defendant.

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NO: WA:23-CV-00649-AM-DTG

Jury Trial Demanded

[PROPOSED] SCHEDULING ORDER

On February 29, 2024, the Court conducted a conference in the above entitled and numbered case. All parties appeared through counsel. As a result of such hearing, and pursuant to Rule 16, Federal Rules of Civil Procedure, the Court **ORDERS** that the following schedule will govern deadlines up to and including the trial of this matter:

DATE	EVENT
March 1, 2024	Initial Disclosures Due
Plaintiff - Approximate [August 23, 2024] (day after proposed <i>Markman</i> hearing date, subject to Court's discretion)	Discovery commences on all issues.
Defendant - March 1, 2024	
March 7, 2024 (1 week after Initial PTC)	Plaintiff serves preliminary infringement contentions in the form of a chart setting forth where in the accused product(s) each element of the asserted claim(s) are found. Plaintiff shall also identify the earliest priority date (<i>i.e.</i> , the earliest date of invention) for each asserted claim and produce: (1) all documents evidencing conception and reduction to practice for each claimed invention, and (2) a copy of the file history for each patent in suit.

DATE	EVENT
May 2, 2024 (9 weeks after Initial PTC)	Defendant serves preliminary invalidity contentions in the form of (1) a chart setting forth where in the prior art references each element of the asserted claim(s) are found, (2) an identification of any limitations the Defendant contends are indefinite or lack written description under section 112, and (3) an identification of any claims the Defendant contends are directed to ineligible subject matter under section 101. Defendant shall also produce (1) all prior art referenced in the invalidity contentions, and (2) technical documents, including software where applicable, sufficient to show the operation of the accused product(s).
May 16, 2024 (11 weeks after Initial PTC)	Parties exchange claim terms for construction.
May 23, 2024 (12 weeks after Initial PTC)	Deadline to add parties
May 30, 2024 (13 weeks after Initial PTC)	Parties exchange proposed claim constructions.
June 6, 2024 (14 weeks after Initial PTC)	Parties disclose extrinsic evidence. The parties shall disclose any extrinsic evidence, including the identity of any expert witness they may rely upon with respect to claim construction or indefiniteness. With respect to any expert identified, the parties shall identify the scope of the topics for the witness's expected testimony. ¹⁴ With respect to items of extrinsic evidence, the parties shall identify each such item by production number or produce a copy of any such item if not previously produced.
June 13, 2024 (15 weeks after Initial PTC)	Deadline to meet and confer to narrow terms in dispute and exchange revised list of terms/constructions.
June 20, 2024 (16 weeks after Initial PTC)	Defendant files Opening claim construction brief, including any arguments that any claim terms are indefinite.
July 11, 2024 (19 weeks after Initial PTC)	Plaintiff files Responsive claim construction brief.
July 25, 2024 (21 weeks after Initial PTC)	Defendant files Reply claim construction brief.

DATE	EVENT
July 25, 2024 (21 weeks after CMC)	Parties to jointly email the law clerks (<i>see</i> OGP at 1) to confirm their <i>Markman</i> date and to notify if any venue or jurisdictional motions remain unripe for resolution.
August 8, 2024 (23 weeks after Initial PTC)	Plaintiff files a Sur-Reply claim construction brief.
August 11, 2024 (3 business days after submission of sur-reply)	Parties submit Joint Claim Construction Statement and email the law clerks an editable copy. <i>See</i> General Issues Note #9 regarding providing copies of the briefing to the Court and the technical advisor (if appointed).
August 15, 2024 (24 weeks after Initial PTC, but at least 10 days before <i>Markman</i> Hearing)	Parties submit optional technical tutorials to the Court and technical advisor (if appointed).
Approximate [August 22, 2024] (subject to Court's discretion) (25 weeks after Initial PTC, or as soon as practicable)	<i>Markman</i> Hearing at 9:00 a.m. This date is a placeholder and the Court may adjust this date as the <i>Markman</i> hearing approaches.
Plaintiff – October 17, 2024 (8 weeks after <i>Markman</i> Hearing) Defendant – September 19, 2024 (4 weeks after <i>Markman</i> Hearing)	Deadline to serve Final Infringement and Invalidity Contentions. After this date, leave of Court is required for any amendment to infringement or invalidity contentions. This deadline does not relieve the parties of their obligation to seasonably amend if new information is identified after initial contentions.
Plaintiff – December 12, 2024 (16 weeks after <i>Markman</i> Hearing) Defendant – October 17, 2024 (8 weeks after <i>Markman</i> Hearing)	Deadline to amend pleadings. A motion is not required unless the amendment adds patents or patent claims. (Note: This includes amendments in response to a 12(c) motion.)
February 20, 2025 (26 weeks after <i>Markman</i> Hearing)	Deadline for the first of two meet and confers to discuss significantly narrowing the number of claims asserted and prior art references at issue. Unless the parties agree to the narrowing, they are ordered to contact the Court's law clerk to arrange a teleconference with the Court to resolve the disputed issues.
Plaintiff – March 20, 2025 (30 weeks after <i>Markman</i> Hearing)	Close of Fact Discovery.

DATE	EVENT
Defendant – Nov 14, 2024 (12 weeks after <i>Markman</i> Hearing)	
March 27, 2025 (31 weeks after <i>Markman</i> Hearing)	Opening Expert Reports.
April 24, 2025 (35 weeks after <i>Markman</i> Hearing)	Rebuttal Expert Reports.
May 15, 2025 (38 weeks after <i>Markman</i> Hearing)	Close of Expert Discovery.
May 22, 2025 (39 weeks after <i>Markman</i> Hearing)	Deadline for the second of two meet and confers to discuss narrowing the number of claims asserted and prior art references at issue to triable limits. If it helps the parties determine these limits, the parties are encouraged to contact the Court’s law clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer.
May 29, 2025 (40 weeks after <i>Markman</i> Hearing)	<p>Dispositive motion deadline and <i>Daubert</i> motion deadline.</p> <p>All dispositive motions shall be filed and served on all other parties on or before this date and shall be limited to 25 pages. Responses shall be filed and served on all other parties not later than 14 days after the service of the motion and shall be limited to 20 pages. Any replies shall be filed and served on all other parties not later than 7 days after the service of the response and shall be limited to 10 pages, but the Court need not wait for the reply before ruling on the motion.</p> <p>Deadline for parties desiring to consent to trial before the magistrate judge to submit Form AO 85, “Notice, Consent, And Reference Of A Civil Action To A Magistrate Judge,” available at https://www.uscourts.gov/forms/civil-forms/notice-consent-and-reference-civil-action-magistrate-judge.</p>
June 12, 2025 (42 weeks after <i>Markman</i> Hearing)	Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, deposition designations).
June 26, 2025 (44 weeks after <i>Markman</i> Hearing)	Serve objections to pretrial disclosures/rebuttal disclosures.

DATE	EVENT
July 3, 2025 (45 weeks after <i>Markman</i> Hearing)	Serve objections to rebuttal disclosures; file motions <i>in limine</i> .
July 10, 2025 (46 weeks after <i>Markman</i> Hearing)	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, deposition designations); file oppositions to motions <i>in limine</i> From this date onwards, the parties are obligated to notify the Court of any changes to the asserted patents or claims. Such notification shall be filed on the docket within seven (7) days of the change and shall include a complete listing of all asserted patents and claims. If a change to the asserted patents or claims requires leave of court (for example, if a party is moving for leave to assert additional claims), notification shall not be required until the Court grants leave, at which point the notification must be filed within seven (7) days.
July 17, 2025 (47 weeks after <i>Markman</i> Hearing)	File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and email the Court Reporter, Kristie Davis at kmdaviscsr@yahoo.com Deadline to file replies to motions <i>in limine</i> .
July 24, 2025 (48 weeks after <i>Markman</i> Hearing)	Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i> .
June 26, 2025 (8 weeks before trial, or as soon as practicable)	Parties to jointly email the Court's law clerk (<i>See</i> OGP at 1) to confirm their pretrial conference and trial dates.
3 business days before Final Pretrial Conference.	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i> .
July 31, 2025 (49 weeks after <i>Markman</i> Hearing, or as soon as practicable)	Final Pretrial Conference. Held in person unless otherwise requested.
August 21, 2025 (52 weeks after <i>Markman</i> Hearing, or as soon as practicable)	Jury Selection/Trial.

SIGNED this _____ day of _____, 20____.

DEREK T. GILLILAND
UNITED STATES MAGISTRATE JUDGE